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FAX

Date	November 22, 2004		
To	Examiner Kumar		
Of	U.S. Patent and Trademark Office		
Fax	571-273-0640		
From	Fang Liu		
Subject	Declaration Under 37 C.F.R. § 1.132		
Application No.	10/699,743	Group Art Unit	1621
Confirmation No.	6410	Examiner	S. Kumar
Filed	November 4, 2003	Our Ref	Q78308
Pages	5		
(including cover sheet)			

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Dear Examiner Kumar:

Further to our telephone conversation earlier today, please find enclosed copies of the PTO date-stamped filing receipt along with a copy of the executed Declaration Under 37 C.F.R. § 1.132 filed in the above referenced application on November 12, 2004.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Fang Liu', with a stylized flourish at the end.

Fang Liu
Reg. No.: 51,283

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78308

Kazutoshi SUZUKI, et al.

Appln. No.: 10/699,743

Group Art Unit: 1621

Confirmation No.: 6410

Examiner: Shailendra Kumar

Filed: November 04, 2003

For: PHENYLOXYANILINE DERIVATIVES

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, Kazutoshi Suzuki, Ming-Rong Zhang, Tetsuya Suhara, Atsuro Nakazato and Makoto Goto, hereby declare and state:

THAT, we are co-inventors and co-applicants of the invention entitled "PHENYLOXYANILINE DERIVATIVES" as disclosed and claimed in the above-referenced application, U.S. Application No. 10/699,743 filed November 4, 2003 (hereinafter, "the subject application");

THAT, in connection with the prosecution of the subject application and specifically the Office Action dated July 23, 2004, the Examiner rejected claims 1-3 under 35 U.S.C. § 102(a) as allegedly being anticipated by the symposium abstract, "[¹¹C]DAA1106, [¹⁸F]FMDAA1106 and [¹⁸F]FEDAA1106: Radiosynthesis and Evaluation as PET Tracers for Peripheral Receptor (PBR)," at 22nd Symposium on Medicinal Chemistry, 11th Annual meeting of Division of

DECLARATION UNDER 37 C.F.R. § 1.132

U.S. Appln. No. 10/699,743

Attorney Docket No. Q78308

Medicinal Chemistry, by Zhang et al (hereinafter, "the Zhang reference") and we have reviewed the Office Action in detail, including the Examiner's reasons for rejecting the claims;

THAT, the Zhang reference was published on November 27, 2002, listing Jun Maeda, Yuichiro Yoshida, Masanao Ogawa, Kenji Furutsuka, Takayo Kida, Junko Noguchi, Takashi Okauchi, Tetsuya Suhara and Kazutoshi Suzuki as co-authors;

THAT, while Jun Maeda, Yuichiro Yoshida, Masanao Ogawa, Kenji Furutsuka, Takayo Kida, Junko Noguchi and Takashi Okauchi are co-authors of the Zhang reference, they are not co-inventors of the invention disclosed and claimed in the subject application; and

THAT, the features and characteristics of the Zhang reference relied on by the Examiner in rejecting the claims of the subject application mentioned above are the work of the co-inventors.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: October 21, 2004

Kazutoshi Suzuki
Kazutoshi Suzuki

04-11-10: 4:53PM;NGB 10280

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DECLARATION UNDER 37 C.F.R. § 1.132
U.S. Appl. No. 10/699,743
Attorney Docket No. Q78308

Date: Oct. 21, 2004

Ming-Rong Zhang
Ming-Rong Zhang

Date: Oct 21, 2004

Tetsuya Suhara
Tetsuya Suhara

Date: October 18, 2004

Atsuro Nakazato
Atsuro Nakazato

Date: Oct. 26, 2004

Makoto Goto
Makoto Goto

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In re application of

Kazutoshi SUZUKI, et al.

Appln. No.: 10/699,743

Confirmation No.: 6410

Filed: November 4, 2003

For: PHENYLOXYANILINE DERIVATIVES

PAPER(S) FILED ENTITLED:

1. Amendment Under 37 C.F.R. §1.111
2. Petition for Extension of Time (in duplicate, with check no. 258974 in the amount of \$110.00)
3. Executed Declaration Under 37 C.F.R. § 1.132

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23373

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DOCKET NO.: Q78308
ATTORNEY/SEC: SJM/FXL/bmm
Date Filed: November 12, 2004

